

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

**MARY JO KAULING,
f/k/a Mary Jo Hugo,**

Plaintiff,

vs.

Commissioner of Social Security,

Defendant.

No. 14-cv-739-DRH-CJP

MEMORANDUM AND ORDER

HERNDON, Chief Judge:

Before the Court is an email from plaintiff Mary Jo Kauling to the undersigned dated July 17, 2014, which the Court construes as a motion to recuse (Doc. 11).

Plaintiff generally states that because she previously sent the undersigned an email concerning a case that District Judge Gilbert recently dismissed, *see Kauling v. Fifth District Appellate Court, et al.*, 14-cv-551-JPG-SCW, it is “unfair” for the undersigned to preside over her instant case. Plaintiff’s general grievance does not articulate a valid reason for recusal and the undersigned affirmatively states that this Court’s impartiality cannot be reasonably questioned in this instance, and it does not have a personal bias or prejudice concerning a party or the evidence involved. *See* 28 U.S.C. § 455. As Chief Judge of this District, the undersigned receives many emails along the same vein as that described by plaintiff on a near daily basis. Plaintiff’s previous email had no impact on the

rulings of this Court thus far and it will not impact the final disposition of this case.

Plaintiff also alludes that this Court has denied her motion for recruitment of counsel (Doc. 4). This is simply not true. It is still pending as it is premature. Should plaintiff file an amended complaint, the Court shall address her request for counsel at that time or shortly thereafter.

Again, the Court reminds plaintiff that she must file an amended complaint on or before August 1, 2014. The Court has provided plaintiff with ample guidance as to the necessary form and contents of said amended complaint. It **DIRECTS** plaintiff again to the content of this Court's Orders containing specific guidance and directives as to the filing of an amended complaint (Docs. 7 and 10).

And finally, plaintiff is once again reminded that if she does not file an amended complaint on or before August 1, 2014, this case will be dismissed without further notice. In doing so, plaintiff is being treated in the same fashion all litigants are treated and is not being singled out for different treatment (except that the Court does not always take such care to be so explicit in describing what needs to be provided in the amended complaint).

Plaintiff's motion to recuse is **DENIED** (Doc. 11).

IT IS SO ORDERED.

Signed this 18th day of July, 2014.

Digitally signed by
David R. Herndon
Date: 2014.07.18
15:24:39 -05'00'



**Chief Judge
United States District Court**